

JAN. 13. 2004 5:31PM 858 792-6773 FOLEY AND LARDNER

NO. 7284 P. 1

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**Total # of Pages: 9 (including this page)**

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From : Stephen E. Reiter *SSR*  
Sender's Direct Dial : 858.847.6711  
Date : January 13, 2004  
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**MESSAGE:**

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Re: Application Serial No. 09/847,945

Following are:

Request for Continued Examination (RCE) (4 pgs.-in dupl. = 8 pgs.).

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Atty. Dkt. No. ABI1460-3  
(071243-1317)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Desai et al.

Title: COMPOSITIONS AND METHODS FOR TREATMENT OF HYPERPLASIA

Appl. No.: 09/847,945

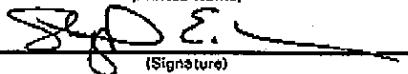
Appl. Filing Date: 05/02/2001

Examiner: S. Gollamudi

Art Unit: 1616

**CERTIFICATE OF FACSIMILE TRANSMISSION**  
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.

Stephen E. Reiter  
(Printed Name)

  
(Signature)

January 13, 2004  
(Date of Deposit)

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REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

[ X ] Please enter and consider the amendment/reply previously filed on 11/18/2003.

Atty. Dkt. No. ABI1460-3  
(071243-1317)

[ ] Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_ but not considered.

[ ] Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_.

[ ] Other \_\_.

b. Enclosed are:

[ ] Amendment/Reply.

[ ] Affidavit(s)/Declaration(s).

[ ] Information Disclosure Statement.

[ ] Form PTO-1449 with copies of \_\_ listed reference(s).

[ ] Other .

## Miscellaneous:

[ ] Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$770.00	= \$770.00
Total Claims:	30	-	30 = 0	x \$18.00	= \$0.00
Independents	7	-	7 = 0	x \$86.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+ \$290.00	=	\$0.00
				CLAIMS FEE TOTAL:	= \$770.00

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[ ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[ ] Extension for response filed within the first month:	\$110.00	0	\$0.00
[ ] Extension for response filed within the second month:	\$420.00		\$0.00
[ ] Extension for response filed within the third month:	\$950.00		\$0.00
[ ] Extension for response filed within the fourth month:	\$1,480.00		\$0.00
[ ] Extension for response filed within the fifth month:	\$2,010.00		\$0.00
EXTENSION FEE SUBTOTAL:			\$0.00
EXTENSION FEE ALREADY PAID:			\$0.00
EXTENSION FEE TOTAL			\$0.00
CLAIMS AND EXTENSION FEE TOTAL:			\$770.00
[ ] Small Entity Fees Apply (subtract ½ of above):			\$0.00
[ ] Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:			\$770.00

[X] Please charge Deposit Account No. 50-0872 in the amount of \$770.00. A duplicate copy of this transmittal is enclosed.

[ ] A check in the amount of \$770.00 \_\_\_\_\_ to cover the filing fee is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Atty. Dkt. No. ABI1460-3  
(071243-1317)

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: January 13, 2004

By 

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Stephen E. Reiter  
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